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Madison, WI 53717
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April 27, 2016

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Connect America Fund*, WC Docket No. 10-90
CAF ROR Challenge Process to Competitive Coverage

Dear Ms. Dortch:

On behalf of its subsidiary Delta County Tele-Comm, Inc. (Delta County Tel; SAC: 462184), TDS Telecommunications Corp. (TDS Telecom), is challenging Clearnetworx's FCC Form 477 filing that indicates it serves 62 census blocks in Delta County Tel's Crawford exchange (located in the vicinity of Crawford, CO). Clearnetworx's own coverage map and statements from its customer service representative, however, reveals that they do not offer voice or broadband service in those census blocks. Given there are no other unsubsidized competitors offering the required service, these census blocks should be treated as unserved by an unsubsidized competitor for the purposes of calculating support from the Alternative Connect America Model, i.e., eligible for receiving model-based CAF funding.

For the census blocks that Clearnetworx claims it serves in Delta County Tel's exchange, TDS Telecom has attached evidence supporting its findings that Clearnetworx does not serve these census blocks. Specifically, the following attachments are provided—

- Attachment A: Declaratory statement of Timothy W. Ulrich, Manager-Public Policy.
- Attachment B: Listing of the census blocks located within Delta County Tel's Crawford exchange that Clearnetworx claims it provides voice and broadband service on its FCC Form 477 filing.
- Attachment C: Pricing, coverage and advertising materials obtained from Clearnetworx's website.
- Attachment D: Map depicting Clearnetworx's own coverage overlaid on Delta County Tel's study area exchange boundary.

Please contact me at 608-664-4114 if you have any questions or need further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy W. Ulrich".

Timothy W. Ulrich
TDS Telecommunications Corp.
Manager-Public Policy and Federal Affairs

Attachments (4)

Attachment A

Declaration of Timothy W. Ulrich **Manager-Public Policy**

Declaration of Timothy W. Ulrich

1. My name is Timothy W. Ulrich. I am currently Manager-Public Policy for TDS Telecommunications Corporation (TDS Telecom) including Delta County Tele-Comm, Inc. (Delta County Tel; SAC: 462184), which is one of TDS Telecom's 108 Independent Local Exchange Carriers (ILEC). My responsibilities include, among others matters, the preparation and filing of data for the state and federal broadband maps, assessing the competitive nature of our ILEC and cable markets, analyzing the results of the Connect America Fund (CAF) Alternative Connect America Model (ACAM), and overseeing the mapping of study area exchange boundaries.
2. The purpose of this Declaration is in response to the FCC's Public Notice¹ regarding the process for challenging the competitive coverage of competitors as they have reported in their FCC Form 477s. Pursuant to that Public Notice, we are contesting the competitive coverage of Clearnetworkx as it has provided in its FCC Form 477 June 2015 data where it indicated it provides broadband service to 62 census blocks in our ILEC Crawford exchange of Delta County Tel (see Attachment B for a list of the challenged census blocks). Clearnetworkx is the only fixed wire and/or wireless unsubsidized competitor claiming to provide voice and broadband service in these 62 census blocks
3. As discussed below, Clearnetworkx's own coverage map and statements from its customer service representative demonstrate that it does not offer voice or broadband service in those census blocks located in Delta County Tel's Crawford exchange. Given there are no other unsubsidized competitors offering the required service, these census blocks should be treated as unserved by an unsubsidized competitor for the purposes of calculating support from the ACAM, i.e., eligible for receiving model-based CAF funding

¹ *Wireline Competition Bureau Release Alternative Connect America Cost Model Version 2.2 and Illustrative Results and Commences Challenge Process to Competitive Coverage*, WC Docket No. 10-90, Public Notice, April 7, 2016.

4. This Declaration is based upon my review and verification of the following facts, data, and analysis that I personally oversaw².

- (a) Clearnetworkx FCC Form 477 indicates it serves 62 census blocks in Delta County Tel's Crawford exchange and it is the only unsubsidized competitor making that claim. We extracted the census blocks for Delta County Tel's exchange from ACAM v2.1 (February 17, 2016 version) and compared it to the census blocks contained in ACAM v2.2 (April 7, 2016) to determine the census blocks that changed from being unserved to being served by an unsubsidized competitor. Since the only difference between the two versions of the ACAM is the use of updated FCC Form 477 data (used June 30, 2015 data), it can be concluded that the variance is due to a competitor filing data on its Form 477 indicating that it provides fixed wireline and/or wireless broadband and voice service in those census blocks. We then extracted the specific competitors name from the FCC's *Broadband Deployment Data from FCC Form 477* website for the June 30, 2015 data that was used in the ACAM v.2.2 model. Clearnetworkx is the only unsubsidized competitor listed as providing broadband and voice service in those census blocks. Attachment B is a listing of the census blocks located within Delta County Tel's exchange that Clearnetworkx claims it provides voice and broadband service.
- (b) Clearnetworkx's website states it provides high speed internet service only in the Montrose area in Colorado but offers wireless internet service in surrounding areas. We reviewed Clearnetworkx's website that contained limited information about its services and prices (see Attachment C for relevant screenshots of Clearnetworkx's website). These webpages state "we currently have a large network of fiber optics in the Montrose area and are expanding every day. We can also provide internet in the surrounding areas using other technologies."

² This Declaration is based upon the factual information I ascertained and verified from TDS Telecom's Manager-OSP GIS Engineering, Manager-Regulatory Settlements & Costing, and Manager-Strategic Costing.

Their webpage does not provide specific pricing data but does show its wireless internet coverage outside of the Montrose area.

- (c) Overlaying Clearnetworx's coverage map on Delta County Tel's exchange clearly shows that Clearnetworx does not provide voice and/or broadband service in the Crawford Colorado area where the census blocks in question are located. TDS Telecom's GIS staff extracted the data from Clearnetworx's website that depicted its service coverage. We then overlaid Clearnetworx's coverage map on Delta County Tel's study area exchange boundary map using the same shapefiles we filed with the FCC for use in various proceeding including the ACAM³ (see Attachment D for the map depicting Clearnetworx's and Delta County Tel's coverage). As depicted in Attachment D, Clearnetworx's coverage is significantly Southwest of Delta County Tel's Crawford exchange and clearly shows Clearnetworx does not provide coverage in the census blocks located in Delta County Tel's Crawford exchange area in Colorado. Also, Clearnetworx website states it only provides fiber service in the Montrose area which is over 50 driving miles from Delta County' Tel's Crawford exchange, which is worth noting is separated by the Gunnison Gorge National Conservation area (98.2 sq. mile area) that precludes direct connection between these two areas.
- (d) Clearnetworx's Customer Service Representative stated that neither Clearnetworx nor its affiliate provides voice and/or broadband service in the Crawford Colorado area where the census blocks in question are located. To ascertain more information about Clearnetworx's provision of voice and broadband service in the 62 census blocks, we called the number provided on their website and talked to a customer representative (we understood her name to be Renee). We asked her if Clearnetworx offered voice and/or broadband

³ Delta County Tel filed study area boundary shapefiles with the FCC and continues to participate in the FCC's Wireline Competition Bureau's study area boundary data collection process. Delta County Tel's exchange boundary data is used in the ACAM model [see FCC Public Notice, WC docket 10-90, *Wireline Competition Bureau Publishes Map of Study Area for use in Alternative Connect America Cost Model*, dated April 10, 2015.]

service to several addresses located in the census blocks in the Crawford area (located on Hwy 92 south of Crawford, CO). She responded that Clearnetworx does not provide voice and/or broadband internet service in the Crawford area. She further stated that Clearnetworx's affiliate "Deeply Digital" does not provide service in the Crawford area.

5. DECLARATION: Based upon my review of the aforementioned factual data and documents, I reasonably state that Delta County Tel has undertaken due diligence to provide evidence that clearly shows that Clearnetworx is not offering fixed wire and/or wireless voice and broadband service to customers within the census blocks that are the subject of this filing at the required speeds, latency, usage, and reasonably comparable prices. Given there are no other unsubsidized competitors offering the required service, these census blocks (as listed in Attachment B) should be treated as unserved by an unsubsidized competitor for the purposes of calculating support from the Alternative Connect America Model, i.e., eligible for receiving model-based CAF funding

I declare that the foregoing is true to the best of my knowledge, information, and belief.

A handwritten signature in black ink, appearing to read 'T. Ulrich', written over a horizontal line.

Timothy W. Ulrich
Manager-Public Policy

Dated: April 27, 2016

Attachment B

Census Blocks

As reported on Clearnetworx's FCC Form 477, the following are the 62 census blocks that are located in the study area exchange boundary of Delta County Tele-Comm, Inc., i.e., list of the census blocks with Delta County Tel's exchange that Clearnetworx claims it provides voice and broadband service.

Census Block FIPS Code
80859662023154
80859662023147
80859662023144
80859662023141
80859662023140
80859662023125
80859662023124
80859662023122
80859662023119
80859662023022
80859662023018
80859662023017
80859662023011
80859662023006
80859662023005
80299650004068
80299650004067
80299650004066
80299650004065
80299650004064
80299650004062
80299650004058
80299650004057
80299650004052
80299650004048

Census Block FIPS Code
80299650004047
80299650004045
80299650004044
80299650004043
80299650004042
80299650004041
80299650004040
80299650004039
80859662023223
80859662023207
80859662023205
80859662023204
80859662023189
80859662023184
80859662023183
80859662023178
80859662023176
80859662023171
80859662023169
80859662023163
80859662023157
80859662023153
80859662023139
80859662023137
80859662023136
80859662023129
80859662023128
80859662023021
80859662023020
80859662023002
80859662023000
80519639002939
80519639002930
80519639002928
80519639002918
80519639002032
80299650004038

Attachment C

Pricing, Coverage and Advertising Webpages from Clearnetworkx's Website

The enclosed materials are screenshots from Clearnetworkx's website. They provide a brief description of Clearnetworkx and its pricing and coverage map.

See Declaration of Timothy Ulrich for more details on these materials.

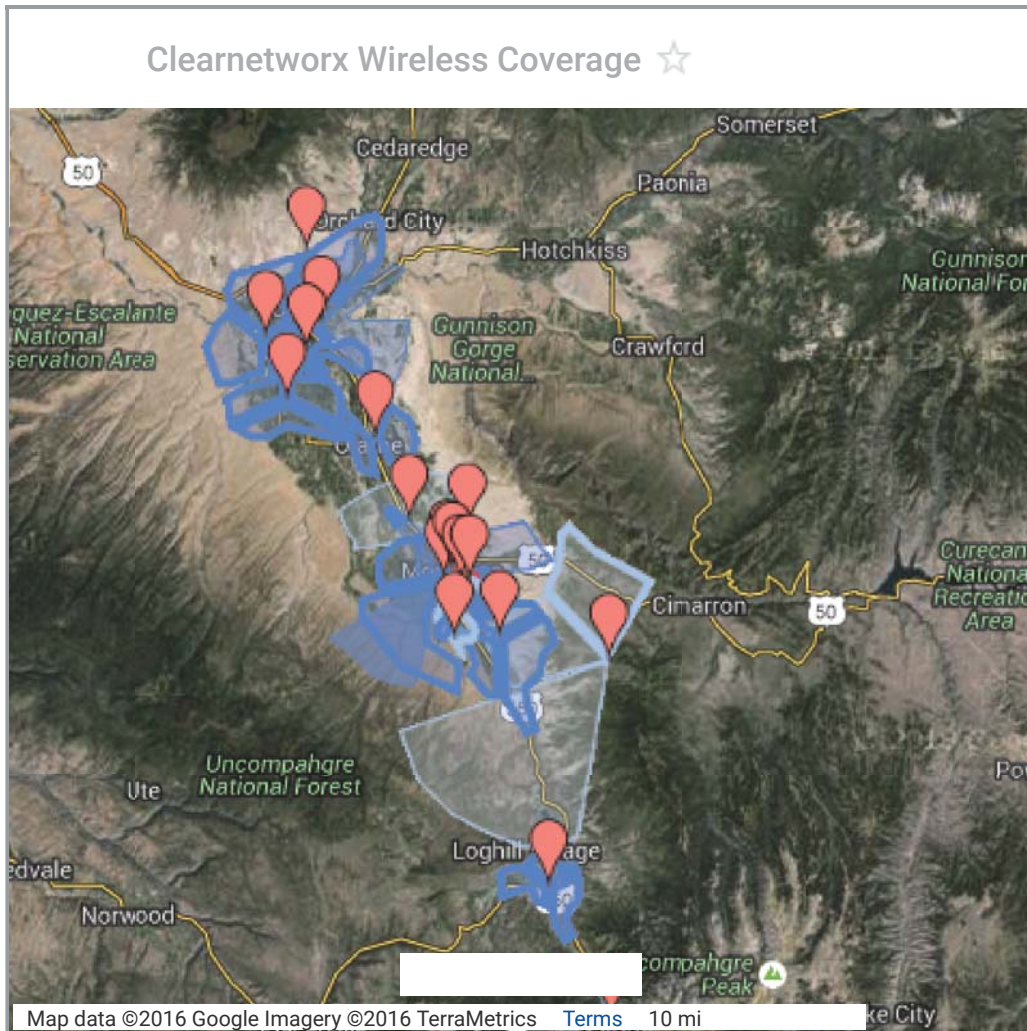
About Us

Clearnetworkx is a premier, local, high speed Internet service provider based out of Montrose, CO. We use the latest technology to bring your home or business the fastest Internet speeds available. Our fiber allows us to offer fast, reliable Internet to local area businesses at an affordable price. We strive to provide only the highest quality customer service and because we live and work in your community, we want you to succeed. Our services can be completely customized to meet the demands of your business.

- [About Us](#)
- [Coverage And Pricing](#)
- [Contact Us](#)
- [Customer Portal](#)

Coverage And Pricing

Pricing is based on location and speed. We offer extremely competitive prices such as 50 Mbps for about the same price as a T1. We currently have a large network of fiber optics in the Montrose area and are expanding every day. We can also provide Internet in the surrounding areas using other technologies. Please [contact us](#) for a custom quote.



- [About Us](#)
- [Coverage And Pricing](#)
- [Contact Us](#)
- [Customer Portal](#)

Attachment D

Clearnetworkx and Delta County Tel Network Maps

The enclosed is a map depicting Clearnetworkx's own coverage map overlaid on Delta County Tel's study area boundary map.

See Declaration of Timothy Ulrich for more details on the Map.

Delta County Tele-Comm, Inc. Clearnetworkx Map

